

CITY OF WEST LAFAYETTE
COMMON COUNCIL
MINUTES
MARCH 7, 2016

The Common Council of the City of West Lafayette, Indiana, met in the Multi-Purpose Room at the Morton Community Center on March 7, 2016, at the hour of 6:30 p.m.

President Bunder called the meeting to order and presided.

The Pledge of Allegiance was repeated.

Present: Peter Bunder, Nick DeBoer, Steve Dietrich, Azeem Jha, Larry Leverenz, and David Sanders.

Absent: Gerry Keen, Gerald Thomas, and Norris Wang.

Also present were Mayor John Dennis, Corporation Counsel Eric Burns, Clerk Sana Booker, IT Director Brad Alexander, Public Works Director David Buck, Facilities Director Tim Clark, Police Chief Jason Dombkowski, Parks Superintendent Jan Fawley, Human Resources Director Diane Foster, City Controller Peter Gray, Fire Chief Tim Heath, WWTU Director David Henderson, Street Commissioner Doug Payne, and Director of Development Chandler Poole.

MINUTES

Councilor Dietrich moved for acceptance of the minutes of the January 28, 2016, Pre-Council Meeting, and the February 1, 2016, Common Council Meeting. Councilor DeBoer seconded the motion, and the motion passed by voice vote.

REPORTS OF CITY DEPARTMENTS ON FILE IN THE CLERK'S OFFICE

There were no comments.

REPORT OF THE APC REPRESENTATIVE

Councilor Leverenz reported that the next public hearing for APC will be March 16, 2016, and there are two West Lafayette rezoning activities regarding the Sagamore Commons property. This is the property between Cook and Applebee's.

PUBLIC RELATIONS: Public Arts Team Report – Tim Brouk

Tim Brouk, Vice-Chairman of the West Lafayette Public Arts Team, reported on the Team's recent projects. He reported that projects in 2015 included the completion of the "Send" mural by Craig Martin on the West Lafayette Post Office, the "Tapawingo Travelogue" sculpture by Eric Nordgulen, and the "Heron" sculpture by Jeff Laramore. Reporting on upcoming projects, Mr. Brouk spoke about "Pop! Goes Purdue," which is a tribute to former Purdue students who have made a name in pop culture. Another project is the Team's first foray into performance art, with pop art performances for music, dance, and theater.

FINANCIAL REPORT

City Controller Gray stated that the City files an annual financial report with the State that is due on the last day of February. He reported that the document filed this month is the end-of-year balances for the cash funds, and that was filed on time with the State. He stated that next month he will start reporting different financial statements with year-to-date for this year. Controller Gray and Councilor Dietrich discussed meeting for the start of the budget process.

LEGAL REPORT

Corporation Counsel Burns stated that this report is on file.

SPECIAL REPORTS: Joint Board Report

President Bunder noted that the Joint Board has been restructured.

Councilor DeBoer reported that the Board approved the recommendation to accept Plenary Group as the contractor for the State Street Project. He reported that the next meeting this week has a substantive agenda, including an amendment related to the public-private agreement and a supplemental memorandum of understanding, and a review for Blackbird Farms Apartments Subdivision, Phase 2. In response to a question from Councilor Dietrich, Councilor DeBoer stated that he is a voting member of the Joint Board. He explained that he and Police Chief Dombkowski were appointed to the Joint Board by Mayor Dennis as representatives of the City.

Councilor Dietrich asked if these appointments replaced other people on the Board.

Councilor DeBoer responded that they replaced Directors Buck and Poole.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ordinance No. 07-16 An Ordinance To Amend Ordinance No. 05-16, To Fix The Salaries Of Appointed Officers, Employees, And Members Of The Police And Fire Departments Of The City Of West Lafayette, Indiana, For The Year 2016. (Sponsored by Mayor Dennis)

President Bunder read Ordinance No. 07-16 by title only.

Councilor Leverenz moved for passage of Ordinance No. 07-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Human Resources Director Foster explained that last month there were several amendments to the 2016 salary ordinances, and this month there are some slight modifications to accomplish the original intent. She summarized the changes as were described in a memo she provided to the Council.

There was no further discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 07-16 passed on first reading.

Ordinance No. 08-16 An Ordinance To Amend Ordinance No. 06-16, To Fix The 2016 Wastewater Treatment Utility Salary Schedule As Submitted By The Board Of Public Works And Safety For Approval By The Common Council Of The City Of West Lafayette, Indiana (Presented by the Board of Works and Safety)

President Bunder read Ordinance No. 08-16 by title only.

Councilor Leverenz moved for passage of Ordinance No. 08-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

There was no discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 08-16 passed on first reading.

Ordinance No. 09-16 An Ordinance Providing For Temporary Loans (Submitted by City Controller)

President Bunder read Ordinance No. 09-16 by title only.

Controller Gray stated we will have the draws for two funds—Fire Pension and the Police Pension—in June. We anticipate needing a temporary loan those funds in May and the first part of June. This loan is from the WWTU Improvement Fund to the pension funds. It will be reimbursed once we receive the draw from the State.

Councilor Leverenz moved for passage of Ordinance No. 09-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

There was no further discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			

COMMON COUNCIL MEETING MINUTES, March 7, 2016, CONTINUED

Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Ordinance No. 09-16 passed on first reading.

Ordinance No. 10-16 An Ordinance Requesting An Additional Appropriation And Reduction To The 2016 Budget (Submitted by City Controller)

President Bunder read Ordinance No. 10-16 by title only.

Controller Gray explained that this is to cover expenses that were incurred in 2015 but actually paid in 2016; they were not in the 2016 budget. There is also an additional appropriation for additional insurance due to chosen employee benefits being higher than expected.

Councilor Dietrich asked how adding to one fund and reducing from another is different from a transfer.

Controller Gray explained that the State has a process to follow, but if we are moving it within major categories we can do a transfer of funds instead of an additional appropriation. He confirmed for Councilor Dietrich that it can be transferred if it is within the Parks and Recreation Fund.

Councilor Leverenz moved for passage of Ordinance No. 10-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

There was no further discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders				✓
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 5 AYES and 1 ABSTENTION.

President Bunder announced that Ordinance No. 10-16 passed on first reading.

Resolution No. 04-16 A Resolution In Support Of Redistricting Reform (League Of Women Voters)
(Sponsored by Councilor Bunder)

President Bunder read Resolution No. 04-16 by title only.

Councilor Leverenz moved for passage of Resolution No. 04-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Sue Scholer, representing the League of Women Voters, stated that the League is hoping the Council adopts this resolution. She noted that there was a successful adoption this morning at the County Commissioners, and the Lafayette Council is also hopefully adopting similar legislation tonight. She stated that the Legislature created a study committee last year to look how states across our nation do redistricting. There is an effort going across the country, and there have been reforms in some other states. She stated that this is based on the concept that Legislatures should have some input if they are going to draw their own lines. She stated that the Constitution requires that the general assembly redistrict in the year after the census, and that the districts be contiguous; that, in conjunction with the voting rights that has stipulations in it, is all we have to go by. She stated that we are promoting the idea that we could have a citizen-led group that could have heavy involvement in the process, if not actually drawing the lines. This is so there are not representatives that constituents have not had a voice in. She stated that in the last election 44 of the 100 State Representatives and 10 of the 25 State Senators ran unopposed. The League has always tried to promote voter participation, and there is not much participation without choices. She stated that the League is hoping that if people get interested and let the study committee know that we want to have a say, then they will look more carefully and come up with a proposal that we can all support. She stated that the report is due to the Legislature by the first of December.

Councilor DeBoer asked if putting together the citizens for a nonpartisan panel was something that was constrained to the League's decision making from the outset, or if it is a conclusion that the League decided, after scanning the country for different options, would produce the most proportional outcome that we are all looking for here.

Ms. Scholer responded that it was largely based on the fact that they have been asked to look at all of the options that are being used across the country. The reforms that are being promoted tend to look at citizen involvement. She asked if that answers Councilor DeBoer's question.

Councilor DeBoer responded that it does to a degree. He stated that he will support this one way or the other. He stated that he thinks that it is absolutely necessary that we get to a more proportional outcome; we cannot have 55% of the country vote for democrats in the general election and still get a House that is 54%. He stated that is still a problem, and it is happening at the local level and the national level. He stated that he is worried that constraining our thinking to district boundaries rather than multi-member districts, the way it is done everywhere else in the world, to promote that proportionality. He stated that he does not know if this legislation will solve that problem, but he loves it because it is better than nothing that we have right now.

Ms. Scholer stated that when she first went to the Legislature we had some multi-member districts that were changed largely because they were having difficulty getting the ability to have any districts for the minority populations in the urban areas. She suggested that Councilor DeBoer go online to look at the interim study committee and contact that committee directly with his concerns.

Councilor Dietrich asked if it is correct that this resolution is putting a recommendation to the State as opposed to binding the City, and Ms. Scholer responded yes.

Councilor Sanders stated that he is in strong support of this resolution. He stated that he appreciates the role that the League has placed on this. He stated that he had occasion, more than once, to run in a district that had been drawn up by Democratic legislators that was extremely peculiarly drawn. He stated that he hopes that people will take this in the right light; it was drawn to try to include every possible Republican in it so that other districts were more Democratic. He stated that he referred to it as "no Republican left behind." He stated that what is critical is that people are being denied a fair chance to vote for a representative that potentially represents their own interest. With the system we have now, we do not have voters choosing their representatives; we have representatives choosing their voters. He stated that it is simply wrong and undemocratic. He expressed his appreciation to the League for its efforts.

Ms. Scholer stated that the League is working with a coalition of groups across the State that are interested in this process.

Councilor Jha stated that the resolution mentions the boundaries of the State and local districts, and asked if federal districts apply as well. He mentioned the House of Representatives as an example.

Ms. Scholer responded yes, the congressional districts are also drawn by the Legislature.

President Bunder stated that the West Lafayette City Council is delighted to have this resolution before us. He stated that we are particularly concerned about redistricting because we have done it three times in the last four years.

Thomas Kesler (479 Maple Street) expressed his support for this resolution, stating that he has never liked the way districts were drawn. He stated that his ideal district is shaped more like a square and less like a piece of a jigsaw puzzle.

Mayor Dennis stated that this is a great first step, but we often forget to take the second step. He stated that in the event this passes, we need to make sure the people who are committees and councils that are going to have input on this understands our position. He stated that we should not just pat ourselves on the back for this first step; we need to continue through with it.

Zachary Baiel (124 Connolly Street) stated that he is highly supportive of this resolution. He stated that he would also encourage that the tools for redistricting be made available to those citizens. Usually expensive proprietary software is used for the process, but there are some open-source free software solutions to analyze districts using census data. He stated that this allows it to become more easily available, and actually fun, to draw these districts and make them contiguous, and the information is seen. He stated that during the last redistricting process the APC was unable to make those tools available to the citizens. He stated that he would encourage that providing these tools be added to any follow-up advocacy

Councilor DeBoer stated that he could not get the software from APC to work, but he thinks that the open-source software is a great idea going forward.

Ms. Scholer stated that in the last two redistricting processes there was software made available at the State library, so she thinks there is a model for expanding that as the process starts and making it more available.

There was no further discussion.

Clerk Booker called the roll call vote:

COMMON COUNCIL MEETING MINUTES, March 7, 2016, CONTINUED

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Resolution No. 04-16 passed on first and only reading.

Resolution No. 05-16 A Resolution To Amend The Comprehensive Plan For Tippecanoe County To Include An Update Of The Multi-Hazard Mitigation Plan (Submitted by Area Plan Commission)

President Bunder read Resolution No. 05-16 by title only.

Councilor Leverenz moved for passage of Resolution No. 05-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Councilor Leverenz stated that it is his understanding that this is a fairly large amended document that addresses almost any hazard or disaster that the County may have to deal with.

There was no further discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Resolution No. 05-16 passed on first and only reading.

Resolution No. 06-16 A Resolution To Promote Transparency And Clarify The West Lafayette City Code (Submitted by Councilor DeBoer)

President Bunder read Resolution No. 06-16 by title only.

Councilor DeBoer moved for passage of Resolution No. 06-16 on first reading, and that the vote be by roll call. The motion was seconded by Councilor Dietrich.

Councilor DeBoer stated that this is the first step of a project he hopes can be completed by the end of the year, and that is clarifying the West Lafayette City Code. He stated that it would be difficult for anybody to go online right now and try to figure out what the laws and ordinances are in the City. He stated that it is problem for both our citizens and the legislators, as we cannot do our job effectively if we do not know what we can fix. He stated that multiple parts of the code reference third-party documents that are proprietary and a physical copy is needed. He stated that this resolution sets forth a timeline of two months, though we are open to expanding that further if necessary, to develop a plan to fix this. Whether that is devoting more resources to new legal services or finding another group that does this, we need to be able to figure this out

Mr. Kesler stated that he hopes that any code related to trash be especially clear and stated in no uncertain terms so that everybody understands what their responsibilities are regarding trash.

Joanne Evers (2971 Soldiers Home Road) asked if this is to change code or just to try to reorganize it.

Councilor DeBoer responded that a section of the resolution specifically asks not to change anything, to the best of our ability. He stated that he recognizes that there are third-party documents that may cause us to violate copyright if we were to pull text from them verbatim. He stated that he would like the Clerk and Corporation Counsel to address that in the report. Councilor DeBoer stated that he does not want any code to substantially change without this legislatures consent to do so. He stated that currently he believes there just needs to be clarification on the items that exist within there. He stated that if something cannot be changed because of those copyright issues we may have to consider how to go about that at that point in time. Right now this is to figure out what the Code says and reorder it in a manner that is sequential. Councilor DeBoer confirmed for President Bunder that what is due in two months is just a report on the best way to get this done.

Councilor Sanders expressed his strong support for this resolution.

In response to questions from Councilor Jha regarding grandfathered information in the Code, Councilor DeBoer stated that his concern is that he knows that our housing code and Bloomington's code have been grandfathered into certain inspection laws. If our altering of any of that code would therefore violate that grandfathering clause, then he would suggest that we not change that so that we keep our housing inspection code.

There was no further discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			

COMMON COUNCIL MEETING MINUTES, March 7, 2016, CONTINUED

Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Resolution No. 60616 passed on first and only reading.

Resolution No. 07-16 (Amended) A Resolution Of The Common Council Of The City Of West Lafayette, Indiana, Approving Certain Matters In Connection With The Transfer Of Certain Property To The Joint Board (Sponsored by Mayor Dennis)

President Bunder read Resolution No. 07-16 (Amended) by title only.

Councilor Leverenz moved for passage of Resolution No. 07-16 (Amended) on first and only reading, and that the vote be by roll call. The motion was seconded by Councilor DeBoer.

Counsel Burns stated that this resolution is the next step in the State Street Project. He explained that in order to fulfill the transfer of the roads and some parcels of ground next to roads to the operator, Plenary Group, it is necessary for the Council to make a transfer. The RDC has already done this with certain property. He stated that there are two primary reasons for the transfer: First, and most intuitive, is the fact that if the roads are going to be operated by a contractor, and there is going to be construction activities, and there is going to be 22 years' worth of operation, then there has to be a transfer from the City to some entity. The Joint Board is essentially the point end of the spear when it comes to interacting with the contractor. The second reason for the transfer is to form a type of collateral, or security in a financial sense, for the transaction. As a result there are three different exhibits—A, B, and C. A portion of the property is going to come back after the construction period when it is no longer needed for the collateral. A portion of the project, which is going to be the streets that you think of when it comes to State Street and the Perimeter Parkway, will stay transferred so that they can be operated by the contractor. He stated that the final thing this resolution does is to increase the lease rental payments. He stated that there is a lease, which is at the moment \$19,600,000, and this would increase it to \$24,600,000. He explained that the reason for that is that even though the overall payments are the same, and there is no increase for either West Lafayette or Purdue in terms of the amount of money being paid, this is \$5 million being advanced as a form of down payment as opposed to being paid over time. He stated that this was a change made by Purdue in order to do the best we could to get as much scope as possible.

Councilor Dietrich stated that it was his recollection that Purdue Research Foundation (PRF) was playing the role of providing up-front money, and he asked if that concept has changed.

Counsel Burns responded no. He stated that this is essentially \$5 million more advanced than what was discussed up until the last several weeks. Again, it is an effort to increase the amount of scope. It is the same plan but with more of it coming sooner.

Councilor Dietrich asked for confirmation that an increase of scope means that we are getting more things done, so we are increasing the back-end of this but paying it up front. He asked if it is correct that we are expanding this by \$5 million.

Counsel Burns stated that he will let Richard Starkey get into the mathematics of it, but essentially the lease has to expand because it is all coming up front as opposed to coming over time.

Richard Starkey (Barnes & Thornburg LLP) stated that the easiest way to think about this is that when you buy a house and you make a larger down payment on the house, with the money upfront, you will end up paying less interest over time because you will borrow less. He stated that even though the overall payments are exactly the same, overtime there is less interest being paid. Therefore, because we are paying less interest, we give the developer the ability to do more project up front. Instead of paying the interest we are paying the developer for more project.

Councilor Dietrich stated that in the analogy of a down payment on a house, the down payment is not borrowed.

Mr. Starkey stated that is correct. He stated that not from the borrowing point of view, but from the bond point of view, we are actually borrowing less money overall.

Councilor Dietrich asked if this means that 22 years from now we will have paid less money by adopting this than we are currently.

Mr. Starkey responded yes, in interest costs.

Councilor Dietrich asked about overall costs to the City.

Mr. Starkey responded that it would be exactly the same, but because it is paid upfront it allows for more project ability upfront from the savings that the City would have been paying overtime.

Councilor DeBoer asked if this is like getting a bigger house for the same amount of money, but in this case it is more project.

Mr. Starkey and Counsel Burns responded yes. Counsel Burns stated that more money is brought to the front end so the City is not paying interest on that \$5 million. It allows that interest difference, which over 22 years is a big number, to be used on the front-end to construct more.

Councilor Dietrich asked if the new kitchen has been designed.

Mr. Starkey stated that the additional scope of the project will be discussed at the next Joint Board meeting. He confirmed for Councilor Jha that the property will be transferred back the City after the 22-year period has elapsed.

Councilor Leverenz stated that we are using the word collateral for these streets. He asked how that works. When buying a house, collateral becomes the house while payments are made. If payments are not made then someone else takes over the ownership to the house. He asked if the City loses streets if we somehow do not pay.

Mr. Starkey responded that no, the City does not lose the streets. He stated that Counsel Burns was using the term "collateral" as an overall discussion point of what this is. He stated that this is all subject to a lease with the RDC and the West Lafayette Community Development Corporation (CDC). We have a sublease from the RDC to the CDC, and they then have a lease between the Joint Board and the CDC. The money flows from the RDC on the sublease up to the Joint Board. That lease structure requires something to lease, and that something is the roads. The collateral that Counsel Burns referred to are really the roads that are subject to the thing that is being leased under the sublease and the lease. He stated that the whole structure is used in order get money to the Joint Board to pay off the bonds that the Joint Board holds. Then the Joint Board is able to use that money to make payments to the developer for the project

that they built. The collateral is not in the normal sense that you think of it; it is what is leased under the sublease and the lease.

Councilor Dietrich asked why we are offering up other parts of the City that are not included in this project, and how this benefits us or them.

Mr. Starkey responded that this is another strange technical provision. He stated that under the bond structure we have a debt-service reserve fund. We did not want to put cash into that fund because it would tie up City or RDC revenues. Instead, we went to a bond insurer, who is AA-rated, and said that we will pay a premium in exchange for a guarantee that the insurer will pay out if the debt-service reserve fund if it is ever drawn upon. That is called a surety bond for the debt-service reserve fund. He stated that what happens under that scenario is that the bond insurer says that we cannot make a lease payment under this lease and sublease until the project is completely finished. That is how leases work under Indiana law; the project has to be finished before a lease payment can be made. He stated that we are expecting the project to be completed by December 31, 2018. He stated that the bond insurer can provide the bond surety, but if the project is not finished we cannot technically make a payment under the lease on that date. Mr. Starkey stated that neither the City nor the bond insurer want to take that risk. He stated that if the City cannot make that lease payment then we will draw on the surety and use up the debt-service reserve fund first. Mr. Starkey explained that the solution to that problem was that we would have extra roads in the lease that are not really touched by anybody. Those extra roads are equal in value to the value of the project when completed. He stated that this means that the City can make lease payments on day one, before the project is complete, because there is value there equal to the value of the roads when completed. He stated that this is why at the end of the construction period for the roads that are being constructed, those extra properties listed in Exhibit B automatically go back to the City at that point; those roads are released from the lease.

Councilor Dietrich asked if those roads are maintained by Plenary during that two-year period.

Mr. Starkey responded that they will be maintained by the City just like they are now.

Councilor Leverenz asked if we are basically saying that these roads, on January 1, 2019, if the State Street Project is not complete and the City cannot make a lease payment, that these roads are a replacement. He asked if we are saying that, at least for a period of time, that we are leasing these roads.

Mr. Starkey responded that is correct.

Counsel Burns stated that this process is because of the nature of TIF and the lease-rental structure of the financing. He noted that similar leases have been done in the City for the Police Station and the Wabash Landing Parking Garage.

Councilor Dietrich asked for confirmation that this in no way impacts other TIFs in the City, even though the other leased streets are in other TIF districts. Counsel Burns confirmed this is correct.

President Bunder asked if there is any advantage to having more roads. He asked how it is determined that the roads we are adding are equal to the roads that may not be useful.

Mr. Starkey stated that he asked the City's planning department to provide 1.2 times the lane miles of the new roads to be built so that we have a cushion. The bond insurer has signed off on that.

Councilor Dietrich asked if Mr. Starkey is saying that the value of each of our roads is equal.

Mr. Starkey stated that an argument could be made that the new roads that are being built will be more valuable than the old roads that were built; that is the reason for the cushion of 1.2 times.

Councilor Jha asked for confirmation of what would happen if the City were unable to make the payments during the period of time in which these non-pertinent roads are being used for the leasing process.

Mr. Starkey responded that with these additional streets in the lease the City will be able to make those payments. He confirmed for Councilor Jha that it is used as a placeholder for the road that is to be constructed.

Jan Myers (1909 Indian Trail Drive) stated that she noticed that a lot of the descriptions of the streets and roads refer to them as replacements for reconstructed or resurfaced streets. She asked if anyone has looked into ADA compliance on this. She stated that she can quickly make sure that all of this is in compliance. She stated that every street that the City is now leasing needs to be ADA compliant because of this resurfacing and restructuring. She stated that it is very costly if it has not been done.

There was no further discussion.

Clerk Booker called the roll call vote:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jha	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas			✓	
Wang			✓	

Clerk Booker stated that the vote was 6 AYES and 0 NAYS.

President Bunder announced that Resolution No. 07-16 (Amended) passed on first and only reading.

REPORT BY THE MAYOR

There was no report.

COMMUNICATIONS

► Councilor Sanders reported that a citizen contacted him and asked him to thank whoever keeps the snow off of the trails in the City, and Mayor Dennis noted that is Parks Superintendent Jan Fawley. Councilor Sanders asked Fire Chief Heath and Police Chief Dombkowski how many calls there have been for heroin overdose in the City in the last year.

Chief Dombkowski stated that a guess is approximately one per month. He stated that there were two rescues using Narcan in 2015 after the officers and fire crew began carrying it in late summer of 2015.

Councilor DeBoer asked if this is significantly more than five or ten years ago.

Chief Dombkowski stated that he never saw anything like that in his career until just a couple of years ago; it is becoming more prevalent.

Councilor Dietrich stated that there was a significant spike approximately 12 years ago. It was more organized-driven, but there were comparable numbers of heroin overdoses during that timeframe statistically. It ebbed quickly.

Chief Heath stated that both the Fire and Police departments go through annual training, including with the Narcan. He explained that both departments have a medical director and that director gives the departments authorization to use that Narcan. The times that it has been used have been successful saves. He stated that it is not something he has seen before in his career, but he thinks that both departments are making a difference in this community.

Mayor Dennis stated that he and Councilor Dietrich were in their police careers at the same time. He stated that a lot of it is price-driven. Unfortunately, certain projects become more readily available financially to some people than others. It is an unfortunate trend which is not predicated on accessibility—it is predicated on marketing. He stated that in a lot of markets a client base can be established just by providing an addictive commodity at a low rate with a guaranteed return. He stated that unfortunately, college communities are often subject to that, and it is a reality of our affluent college community. He stated that we are structured now to respond to that from an enforcement and a health and safety perspective, but culturally that is something that we all need to actively participate in.

Chief Dombkowski stated that what predicated our involvement as a police agency is that a Purdue student overdosed on heroin in February 2015. He stated that having this happen in our community made him evaluate the situation. He stated that although the numbers may not be as large as in another urban environment, that one instance caused us to change direction.

Councilor Sanders asked how many deaths there have been in West Lafayette from heroin overdoses.

Chief Dombkowski stated that he will have to get back to Councilor Sanders on that number, but it is very few. He stated that one instance happened across the river, but he certainly recognizes that if it can happen to someone in the Purdue community it can to anybody in our community.

Councilor Sanders asked for the location of the nearest methadone clinic.

Chief Health responded that once we provide treatment, patients are sent to a hospital. Part of our policy is to see that they get treatment, and we leave that to the hospitals. The hospitals take over to make sure people get treatment for addictions.

Councilor Sanders stated that his impression is that the nearest clinic is in Indianapolis.

Chief Dombkowski stated that he believes that is correct. He stated that there are prescriptions available for those who need it, but there is not a social services clinic in our community.

Councilor Sanders stated that he believes that we are the largest metropolitan area in Indiana without a methadone clinic. He stated that this is something to think about it, and it has to be an area-wide effort; it is not a problem specific to West Lafayette. He stated that he thinks that

enhanced discussion with other players in the region about confronting this problem could be valuable.

CITIZEN COMMENTS

► President Bunder read a statement provided on the meeting agenda with guidelines for citizen comments. This includes the use of a sign-in sheet, a time limit of three minutes, and directing further comments or concerns to the Clerk's Office.

► Mr. Baiel stated thanked the Council for allowing public comment before the vote on ordinances and resolutions. Regarding Resolution No. 04-16 with the League of Women Voters, Mr. Baiel stated that it would be interesting to see what districts would have come out if the Council and citizenry had had access to those tools. Mr. Baiel stated that next week is Sunshine Week for government transparency and accountability, and he would remind that engagement is a cornerstone of government accountability. He stated that he hopes that the new City website, when it is launched, will provide greater access to current historic information regarding the decision making process in West Lafayette. He stated that as an individual who advocates for proactive transparency, he hopes that the discussion in recent months surrounding the lack of openness of the State Street Project and the Joint Board has helped spur interest in providing the public with information in a timely fashion. He stated that Boiler Blast is April 9, where people work together to clean the New Chauncey neighborhood. He expressed his thanks to the Parks Department for the work they do with the parks in the community.

► Liz Leroux (2433 Neil Armstrong Dr.), representing the Go Greener Commission, stated that the goal of the Go Greener Commission is to promote the environmental health of our community. She stated that the Commission's job is to gather and disseminate information and monitor the community's progress towards sustainability. She explained that she is here to update the Council on a project the Commission is working on, in the hopes of facilitating communication between the Commission and the Council. She stated that one of the issues the Commission is working on right now is waste reduction from plastic bags. Ms. Leroux explained that greater than 90% of these bags end up in landfills or as litter in the community. The bags never biodegrade; they break down into tiny pieces of plastic that have toxic chemicals and can be a choking hazard to wildlife. She stated that the environmental impacts outweigh the temporary convenience when shopping at the grocery store. She stated that the Commission is starting an outreach program to educate the community and promote the use of reusable bags. Ms. Leroux stated that relating to this issue, the State Senate recently passed a bill, HB 1053, relating to the regulation of packaging materials. The bill prevents local governments from regulating packaging materials in food retail and food distribution. This would prevent West Lafayette from regulating the types of shopping bags used. She stated that West Lafayette has a good track record of promoting good environmental health in our community, and she hopes that in the future the Commission will be able to further serve the community in promoting environmental health and communication with the Council.

President Bunder stated that HB 1053 is not a new problem for City governments; it is sometimes called preemption. He stated that this is where the State of Indiana makes it less possible for us to enjoy home rule by amending the home rule statute. He stated that in this case they probably did that to prevent the City of Bloomington from mimicking Chicago in banning or taxing plastic bags. He stated that this happens a lot. We have grown used to it, but it is another example of an ongoing problem we have with State government. It is another reason for the League of Women Voters initiative.

► Ms. Myers stated that she wants to thank the Street Department for work done during the sudden snow storm. She stated that the waterline being installed in her neighborhood has been

topped off with the first sidewalk that does not make her sway. She stated that every other new sidewalk that she walks over in her “roundfeet” has pitches to it. She stated that she is thankful that the water company seems to be able to read the regulations. She asked what the City is requiring the water company to do on what is referred to as the “hell strip.” She explained that it is the strip of land between the sidewalk and the curb, and right now it is not filled up to the level of dirt that is needed. She stated that in West Lafayette we have been allowing both ourselves—the City—and other contractors to leave the soil down a couple of inches and then pretend the running sod there makes it right. She spoke of when Mayor Dennis rode with her on roundfeet and ended up in a yard due to a shoulder that was not properly filled, and she noted that a lot of strollers also get caught in that. She stated that if the Council members have not seen the recent comments and reports from Madison, Wisconsin, there is also a State Street there. She stated that 20 years ago Madison did a lot like what we are discussing, and are now seriously rethinking whether they got what they wanted. Ms. Myers spoke about how many trees are going to landfills, and she shared a bowl with the Council members that was made out of an ash tree that had been removed. She stated that the restroom at Morton Community Center is still not fully ADA compliant, and she has not been contacted after mentioning the issue in January. She stated that she keeps hearing that various reports are available on the website, but that no City or State website, the last she checked, is compliant with accessibility.

► Mr. Kesler expressed his thanks for the Street Department for sending staff on a special mission to the alley behind his home to take the trash there, along with the pile of concrete he has collected during the past three years. He stated that trash continues to be a problem as he walks around the neighborhoods, and mentioned some specific problem areas for both trash and concrete. He expressed his concern about the news of the Zika virus with the warm weather coming. He stated that he knows it is not an issue here, but mosquito-borne diseases are promoted when trash cans are left uncovered and rain water settles in them.

ADJOURNMENT

There being no further business at this time, Councilor DeBoer moved for adjournment, and President Bunder adjourned the meeting the time being 7:47 p.m.